

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

**FINAL NOTICE OF DOCKETING**

2011-1399 – EURAND V MYLAN

06/01/2011

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2011 JUN -6 PM 3:31

Appeal from: U.S. District Court, District of Delaware, Case No. 09-MD-2118

Name of appellant(s): Mylan Inc. and Mylan Pharmaceuticals Inc.

This notice supersedes the preliminary notice of docketing dated 05/25/2011.

Copies of the notice of appeal and docket entries have now been received from the clerk of the lower court.

**Critical dates include:**

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. See Fed. Cir. R. 47.3.
- Certificate of interest. See Fed. Cir. R. 47.4.
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.**
- Settlement discussions. See Fed. Cir. R. 33.
- Oral argument schedule conflicts. See Practice Note following Fed. Cir. R. 34.

Some of these requirements may already have been fulfilled.

Jan Horbaly  
Clerk

cc: Clerk's Office, DCT  
James H. Wallace, Jr.  
William J. Marsden, Jr.

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

**Revised: June 1, 2011**

Official Caption<sup>1</sup>

2011-1399, -1408, -1409, -1410, -1411, -1412

IN RE CYCLOBENZAPRINE HYDROCHLORIDE EXTENDED-  
RELEASE CAPSULE PATENT LITIGATION

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EURAND, INC., CEPHALON, INC., and ANESTA AG,

Plaintiffs-Cross Appellants,

v.

MYLAN PHARMACEUTICALS INC. and MYLAN INC.,

Defendants-Appellants,

and

ANCHEN PHARMACEUTICALS, INC., ANCHEN, INC.,  
BARR LABORATORIES, INC., TEVA PHARMACEUTICALS USA, INC.,  
and TEVA PHARMACEUTICAL INDUSTRIES LTD.,

Defendants.

Appeals from the United States District Court for the District of Delaware  
in consolidated case nos. 09-MD-2118, 08-CV-0889, 09-CV-0492, 09-CV-  
0715, 09-CV-0922, and 09-CV-0923, Judge Sue L. Robinson.

Authorized Abbreviated Caption<sup>2</sup>

EURAND V MYLAN, 2011-1399, -1408, -1409, -1410, -1411, -1412

<sup>1</sup> Required for use on petitions, formal briefs and appendices, court opinions, and court orders.  
FRAP 12(a); 32(a).

<sup>2</sup> Authorized for use only on items not requiring the Official Caption as listed in note 1.

## UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

## Appeal Information Sheet

United States District Court for the District of Delaware

Type of Case: PATENT INFRINGEMENT

Caption: In re: Cyclobenzaprine Hydrochloride Extended- Release Capsule Patent LitigationPlaintiff(s): Eurand Inc, Cephalon Inc. and Anesta AGDefendant(s): Mylan Pharmaceuticals Inc., Mylan Inc. and Barr Laboratories Inc.Notice Only(s): Jeffery N. Luthi, Impax Laboratories Inc., Cephalon Inc., Anchen Inc., Anchen Pharmaceuticals Inc.,

(List all parties. Use asterisk to indicate dismissed or withdrawn parties. Explain any discrepancy with caption used on judgment, order or opinion.)

Docket No. 09md2118 SLR

Date of Judgment/Order:

5/12/11

Cross/Related Appeal: 08cv889 SLR + 09cv816 SLR

Date of Notice of Appeal: 5/25/11

Date of Notice of Appeal Docketed: 5/25/11

Appellant is: Eurand Inc, Cephalon Inc. and Anesta AGFees: Court of Appeals Docket Fee Paid? PaidU.S. Appeal? Yes**RECEIVED**

MAY 31 2011

United States Court of Appeals  
For The Federal Circuit

## COUNSEL

(List name, firm, address and telephone number of lead counsel for each party. Indicate party represented.)

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Attorneys for Plaintiff

Attorneys for Defendant

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT  
JUN - 1 2011

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CLERK

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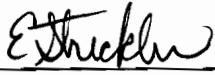
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**IMPORTANT:** Attach copy of opinion and/or order appealed from. Forward together with a certified copy of notice of appeal and certified copy docket entries.

By:   
Deputy Clerk

Date: May 26, 2011